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18 Attorneys for Defendant and Counterclaimant
FRANCO PASQUALE
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20 IN THE UNITED STATES DISTRICT COURT
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA

22 BERLEX, INC., a Delaware corporation,

23 Plaintiff and Counterdefendant,

24 v.
25

26 FRANCO PASQUALE, an individual,

27 Defendant and Counterclaimant.
28

Civil Action No. C06-07043 JSW

**STIPULATION AND [PROPOSED]
ORDER SUBSTITUTING PARTY**

1 The parties to this action, through their respective attorneys of record, stipulate and
2 agree as follows:

3 1. Plaintiff and Counterdefendant Berlex, Inc. has changed its name to Bayer
4 HealthCare Pharmaceuticals Inc.

5 2. Bayer HealthCare Pharmaceuticals Inc. is substituted as a party to this action in
6 place of Berlex, Inc. Bayer HealthCare Pharmaceuticals Inc. is a Delaware corporation with its
7 principal place of business in Wayne, New Jersey.

8 3. Plaintiff and Counterdefendant Bayer HealthCare Pharmaceuticals hereby
9 acknowledges actual notice of this suit and subjects itself to the jurisdiction of this Court in this
10 action.

11 Dated: April 19, 2007

FISHER & PHILLIPS LLP

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13 By: Christina M. Kotowski
14 Christina M. Kotowski
Attorneys for Plaintiff BERLEX, INC.

15 Dated: April 19, 2007

ROPERS, MAJESKI, KOHN & BENTLEY

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17 By: Andrew M. Wolfe
18 Andrew M. Wolfe
19 Attorneys for FRANCO PASQUALE

20 IT IS SO ORDERED.

21 Dated: April 23, 2007

22 Jeffrey S. White
Hon. Jeffrey S. White
U.S. District Judge